

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

**GREGORY GILREATH,**

**Plaintiff,**

**-vs-**

**Case No. 3-:04-CV-302**

**CLEMENS & COMPANY, et al.,**

**Judge Thomas M. Rose  
Defendants.**

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**ENTRY AND ORDER OVERRULING PETITIONER'S OBJECTIONS TO THE MAGISTRATE'S REPORT AND RECOMMENDATIONS (Doc. #49); ADOPTING THE MAGISTRATE'S REPORT AND RECOMMENDATIONS REGARDING THE AMOUNT OF SANCTIONS TO BE AWARDED TO CLEMENS AND CO. AND TO LOCAL 162 (Doc. #48) AND TERMINATING THE CASE**

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As required by 28 U.S.C. § 636(b) and Federal Rule of Civil Procedure 72(b), the District Judge has made a de novo review of the record in this matter. Upon said review, the Court finds that Petitioner's objections (doc. # 49) to the Magistrate Judge's Report and Recommendations (doc. #48) regarding the amount of sanctions to be awarded to Defendant Clemens and Co. and to Defendant Plumbers and Pipefitters Local No. 162 are not well taken and they are hereby OVERRULED.

This Court had previously determined that Plaintiff and his counsel were to be sanctioned pursuant to Fed.R.Civ.P. 11 and remanded the matter to the Magistrate Judge for a recommendation on the amount of the sanction. The Magistrate Judge has now issued a Report and Recommendations (doc. #49) regarding the amount of sanctions.

In accordance with this Court's de novo review of this matter, the Magistrate Judge's Report and Recommendations (doc. #49) regarding the amount of sanctions is ADOPTED in its entirety. Sanctions under Rule 11 are imposed on Plaintiff and his counsel, jointly and severally as follows:

1. In favor of Clemens and Co. in the amount of \$12,656.50 and
2. In favor of Local No. 162 in the amount of \$7,387.80.

**DONE** and **ORDERED** in Dayton, Ohio, this Ninth day of December, 2005.

s/Thomas M. Rose

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THOMAS M. ROSE  
UNITED STATES DISTRICT JUDGE

Copies furnished to:

Counsel of Record